

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

EDDIE EARL HURT,

Plaintiff,

v.

**CAROLYN W. COLVIN, Acting
Commissioner of the Social
Security Administration,**

Defendant.

Case No: 13-CV-576-PJC

OPINION AND ORDER

On November 17, 2014, this Court reversed the decision of the Commissioner and remanded this case for further administrative proceedings under sentence four of 42 U.S.C. § 405(g) (Dkt. Nos. 18-19). Pursuant to Plaintiff's Motion for Attorney Fees Pursuant to the Equal Access to Justice Act ("EAJA") (Dkt. No. 20) and Defendant's response (Dkt. No. 21), the parties have agreed that an award in the amount of \$4,980.20 in attorney fees is appropriate based on 26.5 hours of attorney work performed in this case. The Court has reviewed the pleadings and finds that Plaintiff Eddie Earl Hurt ("Hurt") is the prevailing party and the fees sought are reasonable.

THEREFORE, IT IS ORDERED that Hurt be awarded EAJA attorney fees in the amount of \$4,980.20, in care of his counsel. If attorney fees are also awarded under 42 U.S.C. § 406(b) of the Social Security Act, Plaintiff's counsel shall refund the smaller award to Plaintiff pursuant to *Weakley v. Bowen*, 803 F.2d 575, 580 (10th Cir. 1986).

DATED, this 12th day of February, 2015.


Paul J. Cleary
United States Magistrate Judge